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Attorneys for Plaintiff
United States of America

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

MARTIN CERVANTES VASQUEZ,
ALBERTO GONZALEZ SALGADO, and
ISAIAH ALBERTO SALGADO,

Defendants.

CASE NO. 2:20-CR-0193-DAD

STIPULATION REGARDING EXCLUDABLE
TIME PERIODS UNDER SPEEDY TRIAL ACT;
RDER

DATE: November 29, 2022
TIME: 9:30 a.m.
COURT: Hon. Dale A. Drozd

STIPULATION

Plaintiff United States of America, by and through its counsel of record, and defendant, by and through defendant's counsel of record, hereby stipulate as follows:

1. By previous order, this matter was set for status on November 29, 2022.
2. By this stipulation, defendants now move to continue the status conference until March 7, 2023, and to exclude time between November 29, 2022, and March 7, 2023, under Local Code T4.
3. The parties agree and stipulate, and request that the Court find the following:
 - a) The government has represented that the discovery associated with this case to date includes more than 5,539 pages of investigative reports, photographs, affidavits, and other documents, as well as video and audio recordings. All of this discovery has been either produced directly to counsel and/or made available for inspection and copying.

1 b) The government produced more than 3,400 of these pages of discovery on
2 October 20, 2022, in response to discovery requests from multiple defendants. In particular, the
3 government produced bench notes from its forensic chemists' analysis of seized drugs. In
4 addition, the government produced, subject to a stipulated protective order, complete downloads
5 of approximately 17 seized cell phones that had previously been made available for inspection
6 but not reviewed by defense counsel. These cell phone downloads include extensive
7 communications, many of which are in the Spanish language, as well as other materials.

8 c) Counsel for all defendants need additional time to review the discovery in this
9 case; to conduct independent factual investigation, including ongoing defense expert evaluation
10 of the chemists' bench notes that were recently produced; to research trial and sentencing issues;
11 to consult with their clients; and to otherwise prepare for trial.

12 d) Counsel for defendants believe that failure to grant the above-requested
13 continuance would deny them the reasonable time necessary for effective preparation, taking into
14 account the exercise of due diligence.

15 e) The government does not object to the continuance.

16 f) Based on the above-stated findings, the ends of justice served by continuing the
17 case as requested outweigh the interest of the public and the defendant in a trial within the
18 original date prescribed by the Speedy Trial Act.

19 g) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161,
20 et seq., within which trial must commence, the time period of November 29, 2022 to March 7,
21 2023, inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code
22 T4] because it results from a continuance granted by the Court at defendant's request on the basis
23 of the Court's finding that the ends of justice served by taking such action outweigh the best
24 interest of the public and the defendant in a speedy trial.

25 4. Nothing in this stipulation and order shall preclude a finding that other provisions of the
26 Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial
27 must commence.

28 ///

IT IS SO STIPULATED.

Dated: November 25, 2022

PHILLIP A. TALBERT
United States Attorney

/s/ DAVID W. SPENCER
DAVID W. SPENCER
Assistant United States Attorney

Dated: November 25, 2022

/s/ Toni L. White
Toni L. White
Counsel for Defendant
MARTIN CERVANTES VASQUEZ

Dated: November 25, 2022

/s/ Noa Oren
Noa Oren
Assistant Federal Defender
Counsel for Defendant
ALBERTO GONZALEZ SALGADO

Dated: November 25, 2022

/s/ David D. Fischer
David D. Fischer
Counsel for Defendant
ISAIAH ALBERTO SALGADO

FINDINGS AND ORDER

Pursuant to the stipulation of the parties the status conference previously scheduled in this case for November 29, 2022, is continued to March 7, 2023, at 9:30 a.m. and time is excluded between November 29, 2022, and March 7, 2023, under Local Code T4. No further continuances of the status conference in this case will be granted absent a compelling showing of good cause.

IT IS SO ORDERED.

Dated: November 28, 2022

Dale A. Drögel
UNITED STATES DISTRICT JUDGE